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PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte TODD KILLIAN and PHILIP THRIGHT

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Application No. 09/713,432

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on July 12, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

ORDER RETURNING UNDOCKETED APPEAL

On March 8, 2006, an Order Returning Undocketed Appeal was mailed and the application was returned to the Examiner. The application has since been returned to the Board of Patent

Application No. 09/713,432

Appeals and Interferences however, there is no indication that the Examiner complied with the requirements of the Order Returning Undocketed Appeal mailed March 8, 2006.

In addition, the Examiner needs to consider the Supplemental Appeal Brief filed on June 7, 2006.

Accordingly, it is

Ordered that the application is returned to the examiner to:

- 1) consideration and proper written response to Order Returning Undocketed Appeal, mailed March 8, 2006;
- 2) consideration of Supplemental Appeal Brief filed on June 7, 2006; and
- 3) for any further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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